

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

- v. -

AHMAD KHAN RAHIMI,  
a/k/a "Ahmad Khan Rahami,"

Defendant.

INDICTMENT

16 Cr. 16 CRIM 760

COUNT ONE

(Use of a Weapon of Mass Destruction)

The Grand Jury charges:

1. On or about September 17, 2016, in the Southern District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, acting without lawful authority, did knowingly use a weapon of mass destruction — namely, a destructive device as defined by 18 U.S.C. § 921 — against persons and property within the United States, and (i) the mail and facilities of interstate and foreign commerce, including mobile telephones, were used in furtherance of the offense, (ii) such property was used in an activity that affects interstate and foreign commerce, (iii) the perpetrator traveled in interstate and foreign commerce in furtherance of the offense, and (iv) the offense and the results of the offense affected interstate and foreign commerce, to wit, RAHIMI

JUDGE BERMAN

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possessed, used, planted and detonated an improvised explosive device in the vicinity of 135 West 23rd Street in the Chelsea neighborhood of New York, New York.

(Title 18, United States Code, Sections 2332a(a)(2)(A), (a)(2)(B), (a)(3)(C), (a)(2)(D) and 2.)

COUNT TWO

(Attempted Use of a Weapon of Mass Destruction)

The Grand Jury further charges:

2. On or about September 17, 2016, in the Southern District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, acting without lawful authority, did knowingly use and attempt to use a weapon of mass destruction - namely, a destructive device as defined by 18 U.S.C. § 921 - against persons and property within the United States, and (i) the mail and facilities of interstate and foreign commerce, including mobile telephones, were used in furtherance of the offense, (ii) such property was used in an activity that affects interstate and foreign commerce, (iii) the perpetrator traveled in interstate and foreign commerce in furtherance of the offense, and (iv) the offense and the results of the offense affected interstate and foreign commerce, to wit, RAHIMI possessed, used, planted and attempted to detonate an improvised explosive device in the vicinity of 131 West 27th Street in the Chelsea neighborhood of New York, New York.

(Title 18, United States Code, Sections 2332a(a)(2)(A),  
(a)(2)(B), (a)(3)(C), (a)(2)(D) and 2.)

COUNT THREE

(Bombing a Place of Public Use)

The Grand Jury further charges:

3. On or about September 17, 2016, in the Southern District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, did knowingly and unlawfully deliver, place, discharge and detonate an explosive and other lethal device in, into, and against a place of public use, and did attempt to do the same, with the intent to cause death and serious bodily injury, and with the intent to cause extensive destruction of such a place, and where such destruction was likely to result in major economic loss, and the offense took place in the United States, and this offense was committed in an attempt to compel the United States to do or abstain from doing any act, and a victim is a national of another state – to wit, *inter alia*, the United Kingdom and the Kingdom of Spain – to wit, RAHIMI detonated an explosive device in the vicinity of 135 West 23rd Street in the Chelsea neighborhood of New York, New York.

(Title 18, United States Code, Sections 2332f(a)(1)(A),  
(a)(1)(B), (b)(1)(B), (b)(1)(F) and 2.)

COUNT FOUR

(Destruction of Property by Means of Fire or Explosive)

The Grand Jury further charges:

4. On or about September 17, 2016, in the Southern District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, did knowingly and maliciously damage and destroy, and attempt to damage and destroy, by means of fire and an explosive, a building, vehicle, and other real and personal property used in interstate or foreign commerce or in any activity affecting interstate or foreign commerce, to wit, RAHIMI detonated an improvised explosive device in the vicinity of 135 West 23rd Street in the Chelsea neighborhood of New York, New York, resulting in damage to buildings, vehicles, and other property and injuries to multiple persons.

(Title 18, United States Code, Sections 844(i) and 2.)

COUNT FIVE

(Attempted Destruction of Property by Means of Fire or Explosive)

The Grand Jury further charges:

5. On or about September 17, 2016, in the Southern District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, did knowingly and maliciously attempt to damage and destroy, by means of fire and an explosive, a building,

vehicle, and other real and personal property used in interstate or foreign commerce or in any activity affecting interstate or foreign commerce, to wit, RAHIMI attempted to detonate an improvised explosive device in the vicinity of 131 West 27th Street in the Chelsea neighborhood of New York, New York.

(Title 18, United States Code, Sections 844(i) and 2.)

COUNT SIX

(Interstate Transportation and Receipt of Explosives)

The Grand Jury further charges:

6. On or about September 17, 2016, in the Southern District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, did knowingly transport and receive, and attempt to transport and receive, in interstate and foreign commerce, an explosive with the knowledge and intent that it would be used to kill, injure, and intimidate any individual and unlawfully to damage and destroy a building, vehicle, and other real and personal property, to wit, RAHIMI received and transported improvised explosive devices in interstate commerce, detonated one improvised explosive device in the vicinity of 135 West 23rd Street in the Chelsea neighborhood of New York, New York, resulting in damages to buildings, vehicles, and other property and injuries to multiple persons, and placed a second improvised explosive device in the

vicinity of 131 West 27th Street in the Chelsea neighborhood of New York, New York.

(Title 18, United States Code, Sections 844(d) and 2.)

COUNT SEVEN

(Use of a Destructive Device During and in  
Furtherance of a Crime of Violence)

The Grand Jury further charges:

7. On or about September 17, 2016, in the Southern District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit, the offenses charged in Counts One, Three, and Four of this Indictment, knowingly did use and carry a destructive device, and, in furtherance of those crimes, possessed a destructive device, to wit, the improvised explosive device that RAHIMI placed on the street in the vicinity of 135 West 23rd Street in the Chelsea neighborhood of New York, New York.

(Title 18, United States Code, Sections 924(c)(1)(A) and (B)(ii).)

COUNT EIGHT

(Use of a Destructive Device During and in  
Furtherance of a Crime of Violence)

The Grand Jury further charges:

8. On or about September 17, 2016, in the Southern

District of New York and elsewhere, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit, the offenses charged in Counts Two and Five of this Indictment, knowingly did use and carry a destructive device, and, in furtherance of that crime, possessed a destructive device, to wit, the improvised explosive device that RAHIMI placed on the street in the vicinity of 131 West 27th Street in the Chelsea neighborhood of New York, New York.

(Title 18, United States Code, Sections 924(c)(1)(A) and (B)(ii).)

FORFEITURE ALLEGATION

9. As a result of planning and perpetrating Federal crimes of terrorism against the United States, as defined in 18 U.S.C. Section 2332b(g)(5), and as alleged in Counts One, Two, Three, Four, Five and Six of this Indictment, AHMAD KHAN RAHIMI, a/k/a "Ahmad Khan Rahami," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(G) and Title 28, United States Code, Section 2461:

a. All right, title, and interest in all assets, foreign and domestic;

b. All right, title and interest in all assets, foreign and domestic, acquired and maintained with the intent and for the purpose of supporting, planning, conducting, and concealing

a Federal crime of terrorism against the United States, citizens and residents of the United States, and their property; and

c. All right, title and interest in all assets, foreign and domestic, derived from, involved in, and used and intended to be used to commit a Federal crime of terrorism against the United States, citizens and residents of the United States, and their property;

including but not limited to a sum of money representing the value of the property described above as being subject to forfeiture.

(Title 18, United States Code, Sections 981(a)(1)(G) and 2332b(g)(5) and Title 28, United States Code, Section 2461.)

 11/16/2016

FOREPERSON



PREET BHARARA

United States Attorney

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INDICTMENT

16 Cr.

(18 U.S.C. §§ 844(d) & (i), 924(c), 2332a,  
2332f and 2.)

PREET BHARARA

United States Attorney.

A TRUE BILL

Foreperson.

*Randall*

11/16/2016

11/16/16. Filed Indictment.  
cc Case assigned to J. Berman.  
J. Gorenstein  
USMG.